



CITY OF SANGER

TREE & LANDSCAPE COMMISSION

JUNE 1, 2009

AGENDA

6:00 PM Regular Meeting
City Hall Council Chambers

- A. CALL TO ORDER
- B. ROLL CALL
- C. FLAG SALUTE - Commissioner Esquer
- D. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS
- E. PUBLIC PARTICIPATION
This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on the agenda and within the area of responsibility of the Commission. It is the policy of the Commission not to answer any questions impromptu and complaints should be referred to the Public Works Department. Speakers should limit their comments to five minutes
- F. MINUTES
- G. OFFICER REPORTS
 - 1. Chairperson's Report
- H. COMMITTEE REPORTS
 - 1. Downtown Beautification
- I. OLD BUSINESS
 - 1. Discussion: Draft Revised Tree Ordinance (Chapter 58, Article IV, City Code)
- J. NEW BUSINESS None
- K. COMMISSIONER COMMENTS
- L. ANNOUNCEMENTS
 - 1. Next Meeting July 6, 2009
- M. ADJOURNMENT

Madlyn Esquer, Vice Chairperson
David Pinuelas, Commissioner

Sharri Carter, Commissioner

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Larry Lihosit
Secretary/Planner

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John White
Interim City Manager

Raul Cantu, Chairperson
Gail Sergent, Commissioner

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John Mulligan
Deputy Public Works Director



CITY OF SANGER
TREE & LANDSCAPE COMMISSION
MEETING OF JUNE 1, 2009

CITY OF SANGER
MINUTES OF THE TREE & LANDSCAPE COMMISSION
For May 4, 2009

The regular meeting was held in the Sanger City Hall Chamber at 6:00 p.m.

- A. CALL TO ORDER:** Chairperson Cantu called the meeting to order at 6:02 p.m.
- B. ROLL CALL:** These Commissioners were present; Pinuelas, Carter, and Cantu. Commissioners Esquer and Sergent were absent.
- Staff present included Larry Lihosit, Planner.
- C. FLAG SALUTE:** Commissioner Carter led the flag salute.
- D. AGENDA APPROVAL:** Agenda approved.
1. Motion to approve: Pinuelas
2nd: Carter
Vote: 3-0 (approve)
- E. PUBLIC PARTICIPATION** None.
- F. MINUTES:**
1. Minutes, April 6, 2009.
Motion to approve: Pinuelas
2nd: Carter
Vote: 3-0 (approve)
- G. OFFICER REPORT:**
1. Chairperson's Report: None.
- H. COMMITTEE REPORTS:**
1. Downtown Beautification: Chairperson Cantu reported that a meeting was held on April 28th at the Recreation Department conference room. The group brainstormed about possible activities for next year. A downtown clean-up is scheduled for June 13 and 14 for the alley near 7th Street. Volunteers will meet at Brehler Square. The next meeting will be on May 27.
- I. OLD BUSINESS:**
1. Draft Tree Ordinance Commissioner Pinuelas requested that the last "whereas" on page 1 of the draft resolution read in part, "have written their ordinances in simple language..." He also requested that the word "promote" be used instead of maintain in section 58-80. The commission had a lengthy discussion about future council appointments to the commission. The consensus was that the key elements for

future appointments should be interest and expertise, not necessarily a standing position on another commission. For this reason, the commissioners requested that the last sentence of 58-81 begin with this phrase, "After initial creation," On section 58-85 (number 5) the consensus was to leave the commission as the standing City Downtown Beautification Committee since the Chamber activities appear to be separate and distinct. There was a discussion about missing Chamber meetings and the group unanimously requested these words be added, "If unable to attend, the member(s) will contact alternate(s)." Commissioner Carter questioned why in section 58-86 c, the proposed ordinance permits topping of three types of trees. After a discussion, it was decided to table this question until the next meeting.

J. NEW BUSINESS: None

K. COMMISSIONER COMMENTS: None

ANNOUNCEMENTS:

1. Next meeting June 1, 2009.

L. ADJOURNMENT: The meeting adjourned at 7:09 p.m.

Motion to adjourn: Cantu
2nd: Pinuelas
Vote: 3-0 (to adjourn)

ARTICLE IV. LANDSCAPING WITHIN PUBLIC RIGHT-OF-WAY
AND ON CITY PROPERTY

Sec. 58-76 Findings.

Healthy, well chosen trees can help recharge ground water, reduce soil erosion and water pollution, decrease noise along streets, provide shade and reduce street-side temperatures, reduce air conditioning costs, provide a wind break, and instill community pride. Unfortunately, poorly chosen trees can cause problems. Information obtained from videotape of city sewer lines reveals significant damage to the collection system caused by invasive tree roots. A recent city survey also noted significant damage to curbs, gutters, sidewalks, and streets caused by surface tree roots. In addition, a significant number of trees in the city's older section have reached maturity, are diseased, and often conflict with overhead utility lines and/or structures. Tree planting in past decades did not take into account tree height at maturity, types of roots, or a possible variation of species to avoid susceptibility to blight and plague, nor did it consider water conservation.

Sec. 58-77 Purpose and intent.

This ordinance establishes policies for landscaping within public right-of-way and on other city owned and/or controlled properties which will result in;

- (a) less consumption of water,
- (b) less maintenance (above and below ground) resulting in cost savings,
- (c) no poisonous and/or fruit bearing plants ensuring increased public safety,
- (d) a more diverse array of trees less susceptible to blight and plague, and
- (e) a logical system for regulating landscaping activities.

Sec. 58-78 Definitions.

The following words and phrases, used in this article, are defined below.

Landscape plan means a to-scale drawing of existing and proposed features such as (but not limited to) sidewalks, streets, signs, street lights, utility poles, trees, shrubs, and ground cover.

Public right-of-way means that area ascribed on Final Parcel and Final Subdivision Maps as under the ownership, easement, and/or jurisdiction of the city for streets, bicycle paths, pedestrian trails, and any other area so used through prescriptive rights.

Street trees means trees within public right-of-way.

Landscaping means groundcover, bushes, vines, and trees located within public right-of-way.

Topping means the severe cutting back of tree limbs to stubs larger than three inches in diameter within a tree's crown, removing the tree's normal canopy and disfiguring it.

Sec. 58-79 Jurisdiction.

The City of Sanger maintains jurisdiction over all planting and maintenance of vegetation within public right-of-way, parks, and all other properties owned by the City and/or areas of easement granted to the City.

Sec. 58-80 Policies regarding vegetation within public right-of-way, parks, and areas owned by or held in easement for the City.

It is the City policy to ^{promote}~~maintain~~ healthy vegetation within its jurisdiction that is drought tolerant, requires a minimum of maintenance, and does the least possible damage to infrastructure while posing the least amount of danger of injury or damage to public or private property.

Sec. 58-81 Establishment and composition of tree and landscape commission.

A tree and landscape commission, including five members who reside within the Sanger Sphere of Influence, is hereby established. The members will include one member from the planning commission, one member from the parks and recreation commission, one member from the Sanger Environmental Fund, and two members from the public. ~~The~~ city council will attempt to appoint commissioners who reflect different interests, backgrounds, and areas of expertise.

After initial creation,

Sec. 58-82 Appointment of members.

The members of the tree and landscape commission will be appointed by the mayor subject to city council approval.

Sec. 58-83 Term of office, vacancies, and compensation.

- (a) The tree and landscape commissioner's term of office will be four years. Terms will expire on the first Thursday in January.
- (b) Vacancies will be on a rotation of two and three positions every two years. The members of the initial commission will draw lots to determine which two members will serve a two-year term. Members whose term expires will continue to serve until their successor has been appointed and approved. If a vacancy occurs, other than by expiration of term, it will be filled by appointment for the unexpired portion of the term.
- (c) Tree and landscape commissioners will receive a fee of \$25 for each tree and landscape commission meeting that they attend.

Sec. 58-84 Commissioner removal and retirement.

- (a) Tree and landscape commissioners hold office at the pleasure of the city council and may be removed from office at the sole determination of the city council, with or without cause, notice, hearing or appeal.
- (b) Absence from three consecutive regular meetings of the tree and landscape commission without formal commission chairperson consent (or in the case of the chairperson- from the vice chairperson) will constitute the retirement of such member from the commission and the position will be deemed vacant.

Sec 58-85 Powers, duties, quorum, and procedures.

- (a) The tree and landscape commission powers and duties will include:
 - (1) study and develop standards and guidelines to achieve the purposes set forth in Section 58-77,
 - (2) recommend approval of such standards and guidelines to the city council,
 - (3) recommend revisions to the standards and guidelines when deemed appropriate,
 - (4) hear citizen appeals of the standards and guidelines administration by staff, and
 - (5) ~~participate in the~~ Downtown Beautification Committee. Two members, chosen by the commission chairperson will attend Downtown Beautification Committee meetings and report that committee's actions to the tree and landscape commission. *If unable to attend, the member(s) will contact prearranged alternate(s).*

Will serve as the City

- (b) In order to conduct business, a majority of the tree and landscape commissioners must be present.
- (c) Robert's Rules of Order, or any modification deemed appropriate by the majority of commissioners, will be used to conduct all meetings.

Sec. 58-86 Care of trees, bushes, and groundcover within public right-of-way.

- (a) With the sole exception of Lighting and Landscape Districts, when landscaping within public right-of-way abuts private property, the private property owner is responsible to irrigate, prune and maintain healthy trees, bushes, and ground cover and also in such a manner that they do not impair overhead wires, obstruct the view of traffic and/or traffic signs and lights, and/or present danger to persons or property.
- (b) The city may prune, maintain, remove and/or replace trees, bushes, and groundcover to ensure public safety or to preserve and enhance the beauty or health of such grounds.

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(c) Tree topping is prohibited except for these species;

- a. Mulberry
- b. Pear
- c. Sycamore

← INCLUDE?

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- (d) Pruning should be done during winter months.
 - (e) Planting should not be done during summer months.

Sec. 58-87 Landscaping within public right-of-way by citizens.

Prior to any vegetation removal and/or planting within public right-of-way, citizens must submit to the Public Works Director (or his or her designee) an Encroachment Permit application for review and approval. Part of this application will include a landscape plan. Proposed planting must follow city adopted standards and guidelines. In the event of approved tree removal, the Public Works Director will require its replacement (using any species listed within the standards and guidelines) in such cases that replacement will not contradict those city standards and guidelines. The Public Works Director (or his or her designee) will respond to the application in writing within 15 calendar days, approving the request, conditionally approving the request, or denying the request.

Sec. 58-88 Appeal.

The applicant may appeal the Public Works Director's decision by submitting a written request for appeal to the Public Works Director within 5 calendar days of receipt of such decision. The Public Works

Director will schedule an appeal at the next available tree and landscape commission meeting.

Sec. 58-89 New Development landscaping within proposed public right-of-way.

All landscaping within proposed public right-of-way, parks, and all properties to be dedicated to the city as part of new development will conform to city standards and guidelines.

Sec. 58-90 violation of this article and penalty.

Any person violating any provision of this article will be deemed guilty of an infraction in accordance with Chapter 1, Section 1-7 (c) and cited in accordance with Chapter 1, Section 1-8 of city code. That person will be punished in accordance with Chapter 1, Section 1-7 (c) of city code.



Arbor Day Foundation™

P.O. Box 81415 • Lincoln, NE 68501-1415 • 888-448-7337 arborday.org

We inspire people to plant, nurture, and celebrate trees.

April 28, 2009

The Honorable Jose Villarreal
Mayor of the City of Sanger
1700 7th Street
Sanger, CA 93657

Dear Mayor Villarreal,

We congratulate Sanger on having achieved Tree City USA® status for 2008—an accomplishment that assures all your citizens of greater opportunities than they may yet realize!

As you already know, trees are a vital component of the infrastructure in cities and towns, providing environmental and economical benefits. Trees in urban areas reduce the heat island effect caused by pavement and buildings. Properly placed trees can increase property values. Leaves filter the air we breathe by removing dust and other particles.

We have prepared the enclosed press release for your convenience as you prepare to contact local media outlets to share this commendable achievement with the public. We hope you are excited to share the significance of this accomplishment with the media. If you wish to receive this press release in electronic form, please email mderowitsch@arborday.org. We will send it to you within one work day.

The Tree City USA program is sponsored in cooperation with the National Association of State Foresters and the USDA Forest Service. State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward your awards to Darla Mills in your state forester's office. They will be coordinating the presentation with you. It would be especially appropriate to make the Tree City USA award a part of your Arbor Day ceremony.

Again, we celebrate your diligence in improving the quality of life for the citizens of Sanger and thank you for creating a healthier, more sustainable world for us all.

Best regards,

John Rosenow
Chief Executive

cc: Lawrence Lihosit

Enclosure

